

REMARKS/ARGUMENTS

The Examiner states that the inventions of Groups II and I are related as process of making and product made under M.P.E.P. § 806.05(f) and that the product can be made by a materially different process, such as a laminating process rather than the 3-D layering process.

However, the Examiner has advanced no reasons to support the assertion that the pulverulent material used in the process of Group I would be amenable to a laminating process, nor does the Examiner set forth how such a laminating process would result in producing a 3-D object, as claimed in the claims of Group II. Therefore, it is submitted that the requirements of M.P.E.P. § 806.05(f) have not been met and it is requested that the claims of Groups I and II be rejoined and examined in the present application.

Further, the claims of Groups II and III are related as combination-subcombination under M.P.E.P. § 806.05(c), which requires two-way distinctness in order to support a restriction between the claims of Groups II and III. Since the requirements for restriction under M.P.E.P. § 806.05(c) have not been met, it is requested that the claims of Groups II and III be rejoined and examined in the present application.


Further, Applicants traverse the Restriction Requirement on the grounds that thousands of U.S. patents have issued in which many more than three sub-classes have been searched, and the Patent and Trademark Office can not reasonably assert that a burden exists in searching only three sub-classes.

Finally, if the claims of Group II are ultimately found allowable, it is requested that the claims of Group I be rejoined under M.P.E.P. § 821.04 and allowed in the present application, also.

Accordingly, for the reasons presented above, it is submitted that the Patent and Trademark Office has failed to meet the burden necessary to sustain the Restriction Requirement. Withdrawal of the Restriction Requirement is respectfully requested.

Respectfully submitted,

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